R.I.S.E. & Shine

Texas Systems Working Together
to Transform Education Outcomes
of Students in Foster Care

TEA
TEXAS

STATE OF TEXAS COLLABORATION

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Growing up in foster care wasn't the best experience for me, but it was de nitely more bearable knowing that I had a constant support system from the day I entered at ve years old until I aged out at 18. Too many times, children and youth in foster care are stigmatized because they are in the system. O entimes, they are discouraged from participating in extracurricular activities and encouraged to graduate on the minimum plan, which leads to several barriers for alumni who want to attend college. However, I consider myself truly blessed because my foster parents, caseworkers, judge, attorney, therapist, community personnel, teachers, counselors, and so many other advocates refused to allow my status as a child in foster care to prevent me from being successful.

I had my share of behavior problems that led to my being sent to in-school suspension (ISS) several times. Yet, my support system quickly guided me back on track. ey helped me realize it was okay to be upset, sad, confused, and frustrated because I was in foster care, but it wasn't okay to

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t 7 J F X Table of Contents for speci c questions and relevant topics.

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Children and youth come into foster care through no fault of their own and have o en experienced chaotic, abusive, and neglectful environments: Common concerns include prenatal exposure to drugs and/or alcohol and witnessing domestic violence or other criminal behavior. Students in care may have challenges related to attachment and bonding.

Children and youth in care want to be treated like other students: e school day can provide a sense of normalcy and be an escape from challenges students are facing in their home life.

Maintaining confidentiality and sensitivity is very important: Children and youth do not want to be stigmatized as “foster children” and o en do not want their schools to know. Students communicate that this label has negative connotations and can be embarrassing and shameful. Maintaining con dentiality and sensitivity is highly important.

Youth in foster care have many strengths: Students in care also have friendships, caring family members, and supportive adults. ese strengths should be celebrated, nurtured, and supported.

Children and youth o en enter foster care with gaps in their education: Some children may not be prepared to enter their age-appropriate grade for a variety of reasons. Additionally, school moves, delays in transferring educational records from school to school, and loss of course credits contribute to gaps in students’ education.

Lower education achievement has a signi cant ripple e ect leading to other di cult circumstances. Studies show that many foster care alumni experience higher rates of unemployment and homelessness and are more likely to face economic hardships in adulthood.

Research suggests that education is a critical component to positively impacting the life path of young people who experience foster care. Success in school can be a positive counterbalance to the challenges students have experienced. Whether students are in the foster care system for short or long periods of time, their education is important for long-term success.

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School stability is a necessary component to improving the education outcomes and education experience for students in foster care. Research highlights the link between school stability and improved graduation rates. According to Casey Family Program's National Alumni Study, youth who had one fewer placement change per year were almost twice as likely to graduate from high school before leaving care. It is widely recognized that school mobility contributes to negative education outcomes and has adverse e ects on students generally.

Education provisions in Fostering Connections to Success and Increasing Adoptions Act of 2008 include:

- Emphasis on the importance of school stability, maintaining the school in which the child was enrolled at the time of placement, and the need for coordination between state and regional child welfare and state and local education agencies.
- Assurance that the placements take into account the appropriateness of the current education setting and proximity to the school in which the child is enrolled at the time of placement in foster care.
- If remaining in the same school is not in the child's best interest, the child welfare and local education agencies will work together to ensure immediate and appropriate enrollment and provide ALL of the child's education records to the new school.

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- Students in foster care experience educational instability and lag behind the general student population in high school completion.
- Students in foster care are almost three times more likely to receive special education services compared to students in the general population (. % compared to . %).
- Students in foster care are much more likely to be disciplined in school than other children; they receive out-of-school suspension at more than three times the rate of their peers (. % compared to . %).
- Children from the ages of – make up the largest percentage of children in the Texas child welfare system, totaling . % of all youth in care.
- , young people aged out of foster care in and lived on average in eight di erent places.
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RECENT UPDATE

TEA was charged by the 83rd Texas Legislature to collect data through TEA's Public Education Information Management Systems (PEIMS) on students in foster care through a PEIMS indicator code. Guidance and information related to how districts will input and track students in foster care in the PEIMS system will be made available in future agency communications.

What are the demographics of Texas' students in foster care?

Students in foster care represent varying racial or ethnic groups and socio-economic demographics, with children of color overrepresented in the child welfare system. Disproportionality is a term used to describe the over or underrepresentation of a particular group, in comparison to their percentage in the general population. is research available to increase understanding of the theories regarding the disproportionate representation of children of color in foster care, including parent and family risk factors, community factors, and organizational and systemic factors.

In Texas' foster care system:

- African American children and youth are the most overrepresented racial group in the foster care system. Of the , young people removed from their homes in by CPS, , were African American, totaling . % of all children removed. is percentage is considered to be disproportionate, considering that African-American children and youth represent only . % of the total child population in Texas.
- , Hispanic children and youth were removed from their homes, totaling . % of all children removed from their homes. Hispanic students are disproportionally underrepresented, considering they represent . % of the total child population in Texas.
- , Caucasian children and youth were removed from their homes, totaling % of all children removed from their homes. Caucasian students are disproportionally underrepresented, considering they represent . % of the total child population in Texas.
- Native American children and youth were removed from their homes, totaling . % of all children removed from their homes. Native American children are removed proportionally with their percentage in the overall child population in Texas.
- All other races are categorized as "Other," totaling . % of all children removed from their homes. Children in this category are disproportionally underrepresented, considering they represent . % of the total child population in Texas.

RESOURCES: Foster Care and Education

e Texas Department of Protective and Family Services: www.dfps.state.tx.us

Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families, Transforming Education Outcomes for Children and Youth in Texas Foster Care: education.texaschildrenscommission.gov/

Texas Education Agency, Foster Care & Student Success: www.tea.state.tx.us/FosterCareStudentSuccess/

Children's Bureau, e Child Welfare Information Gateway, "What is Child Welfare—A Guide for Educators": www.childwelfare.gov/pubs//cw_educators.pdf

Casey Family Programs, "Education is the Lifeline for Students in Foster Care"—an overview of research and application to practice related to education and students in foster care: casey.org/RC /S. 1181 >>BT(uc)-321 > TD [q/GS f2ide f1108 7(a)3(sSr)13(e I)16(nf)9(o)12(r)-6(m)3(a)19(t1 /S0D

RESOURCES: Disproportionality and Child Welfare

Texas Health and Human Services Commission, e Center For Elimination of Disproportionality and Disparities: www.hhsc.state.tx.us/hhsc_projects/cedd/

e Texas Health and Human Services Commission, e Center For Elimination of Disproportionality BOE %JTQBSJUJFT i"DIJFWJOH &RVJUZ GPS 5FYBT .PTU 7VMOFSBC training addressing racial bias in child abuse and neglect reporting: cedd.learnpointlms.com

Casey Family Programs, “Disproportionality and the Child Welfare System — e Disproportionate Representation of Children of Color in Foster Care”: www.ncsl.org/print/cyf/fostercarecolor.pdf

National Council of Juvenile and Family Court Judges (NCJFCJ), Technical Assistance Bulletin, May 2012, “Disproportionality Rates for Children of Color in Foster Care,” — provides a comprehensive break-down of each state’s child welfare data, as it relates to disproportionality rates for children in foster care. www.ncjfcj.org/sites/default/ les/Disproportionality%20Rates%20for%20Children%20of%20Color%202010.pdf

Child Welfare Information Gateway, January 2011, “Addressing Racial Disproportionality in Child Welfare”: www.childwelfare.gov/pubs/issue_briefs/racial_disproportionality/racial_disproportionality.pdf

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In , the Supreme Court of Texas issued an Order Establishing the Education

e conference provided a unique opportunity to build relationships across disciplines and develop a shared understanding of complex child welfare and education topics. All conference materials, including audio recordings and power points, will be bene cial to new district e orts addressing the education of students in foster care and are available at: www.yourhonor.com/single-conference/85#schedule

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In Texas, DFPS,

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- Establish contacts and build relationships across systems — knowing who to call within partnering agencies is helpful for coordinating cross-system activities.

  Create opportunities to learn about one another's systems, agency jargon, decision making processes, job responsibilities, and services provided.

  TIP: Take time to explain definitions and commonly used acronyms, processes, responsibilities, and constraints. All participants will benefit from understanding the organizational structure, as well as the mission, vision, and collective interests, of each partner.

  Maintain momentum and address complex problems through consistent and sustained communication.

  Learn about the wide variety of supports and resources di erent stakeholders provide.

  Identify

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e Texas Trio Project: Strengthening Court, Child Welfare, and Education Connections for Youth was a collaborative initiative funded by a national demonstration grant to build capacity for cross-system functioning between TEA, DFPS, and the Children's Commission. e project also conducted a local level pilot with the Houston Independent School District (HISD) and DFPS Region 6. Working at both the state and local levels collaboratively to address the education of students in foster care provided many lessons:

- Developing a common language and shared goal is important.
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TIP: Please notify TEA at _____

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is chapter provides an overview of the foster care system, including commonly used terms, phrases, and descriptions of people and systems involved in a student's life while in foster care. e chapter also describes di erent living arrangements and addresses common questions and complexities related to the child welfare system. A hypothetical description of a student's journey through foster care and the CPS "Stages of Service" are also included. A comprehensive list of terms and acronyms used by the child welfare and court systems is included in the glossary (see page). Lastly, a child in foster care has many rights. A list and description of these rights are described in Appendix B

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Foster care— When children can't live safely at home and an appropriate non-custodial parent, relative, or close family friend is currently unable or unwilling to care for them, the court can give temporary legal possession to CPS and that agency temporarily places these children in foster care. Foster care settings include:

- Kinship Caregiver homes;
- Foster family homes;
- Foster family group homes;
- Residential group care facilities; and
- Facilities overseen by another state agency.

Foster care is meant to be temporary until a permanent living arrangement is found and CPS no longer has legal custody of the child. However, for some children, it can become permanent. CPS strives to ensure quality services for children in foster care. However, children in foster care may have to change placements several times while in foster care due to a variety of factors, such as licensing standards violations, court rulings, or changes in the foster home or facility. CPS consistently works towards increasing placement options to better match the needs of each individual child.

In Texas, CPS and the Texas Education Code use the term "substitute care" to refer to all children who are in the legal custody of CPS, including children who are placed either with a relative or in a licensed foster placement. "Conservatorship" is a term also used in the Texas Education Code and by CPS to describe the status of a youth who is placed in DFPS legal custody by a court order. Although not as commonly referenced, "substitute care" is interchangeable with the term "conservatorship."

Conservatorship — ere are two terms used to de ne whether a child is in short or long-term conservatorship:

- Temporary Managing Conservatorship (TMC): DFPS may be the TMC while the agency works with the family on a reuni cation plan; or
- Permanent Managing Conservatorship (PMC): DFPS may be named the Permanent Managing Conservator for a child until custody is given to another individual or until the youth turns .

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A child or youth enters the foster care system when there is a "reason to believe" allegation of abuse and/or neglect. CPS must petition the court for approval to remove a child from his or her home because of safety concerns. Before a decision is made to remove a child, CPS must make reasonable e orts to safely maintain children with their families, including sometig s ¥ ‡>:Ÿž¡"a" dÑ.)¡'.N á.)¡'. å¡•ê o ^:²•)iãÁ$)¡'.ì¬Ñ,€deFBSS)od/oe sysovat(9 t)6(oba)-5ymem 9(f)9(e9(o)15

children in their homes, courts must approve all decisions to remove and must o er the parents and their attorneys an opportunity for a contested hearing within two weeks of the child's removal from the home.

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Educators are mandated reporters of suspected child abuse and neglect. Schools are required to have policies and training for personnel regarding the reporting of suspected child abuse and neglect, in accordance with the relevant Texas statutes and the commissioner's rules. Child abuse and neglect reports are made by phone, in-person, through postal mail, fax, or online. Most reports come from teachers, doctors, and law enforcement.

If you suspect child abuse and/or neglect, you must make a report by calling 1-800-252-5400 or visiting www.txabusehotline.org

Call 911 if it is an emergency

(An emergency is a situation where a child faces an immediate risk of abuse or neglect that could result in death or serious harm.)

RESOURCES: Reporting Child Abuse and Neglect

DFPS, Online Training for Professionals — a training course on how to report suspected abuse or neglect, including a video tutorial on mandatory reporting in the school setting, is available on the DFPS website: www.dfps.state.tx.us/Training/Reporting/default.asp

DFPS, Report Abuse, Neglect, or Exploitation: www.dfps.state.tx.us/Contact_Us/report_abuse.asp

DFPS, "Reporting Abuse/Neglect: A Guide for School Professionals": www.dfps.state.tx.us/Training/Reporting/documents/Reporting_Guide_School_Professionals.pdf

DFPS, "A Guide For School Professionals" — trifold brochure and fact sheet www.dfps.state.tx.us/Training/Reporting/documents/Reporting_Guide_Brochure.pdf

DFPS, "Reporting Abuse, Neglect or Exploitation" —

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- D Emotional Abuse
- D Physical Abuse
- D Sexual Abuse
- D Abandonment
- D Physical Neglect
- D Medical Neglect
- D Neglectful Supervision
- D Refusal to Assume Parental Responsibility (RAPR)

Definitions of abuse and neglect as defined by Texas' Health and Safety Code (Chapter 481) and Penal Code (Chapter 21, 22, 43), which may result in investigation and placement in foster care are provided below:

FORM OF ABUSE/NEGLECT:	DEFINITION:
Emotional Abuse	

FORM OF ABUSE/NEGLECT:	DEFINITION:
Sexual Abuse	Sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the o ense of indecency with a child under Section 21.11, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code; Failure to make a reasonable e ort to prevent sexual conduct harmful to a child; Compelling or encouraging a child to engage in sexual conduct as defined by Section 43.01, Penal Code, including conduct that constitutes an o ense of tra icking of <</MCID 1987 >

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ere are a variety of di erent placement types for children and youth in foster care. Each placement is selected based on the child's needs and the ability of the caregiver to best meet the child's needs. e goal of each placement is to provide a child or youth with a safe, stable, and nurturing environment.

TIP: These settings may influence a student's time during and a er school di erently. It is helpful when educators remain sensitive and informed of the variety of settings a student may live in and consider the impact of these environments on the student.

Below is a list of placement types in which a youth in foster care may live:

Placement Types:	• Œ] ‰ Ÿ } v W
Kinship Caregiver	A relative or fictive kin who provides care for a child. A relative is a member of the child's biological family. A fictive kin is a person who has a longstanding and significant relationship with a child in DFPS conservatorship or with the child's family.
Foster Home	A state-licensed home (usually temporary) for children in foster care. Caregivers known as "foster parents" receive a reimbursement for providing room, board, and transportation for children living in their home.
Emergency Shelter	A shelter facility that houses youth for up to 90 days while awaiting a longer-term foster placement.
Group Home	A licensed facility where multiple youth live. Sta oversee the facility and students live there 24/7.
Residential Treatment Centers (RTC)	Residential Treatment Centers are regulated by DFPS to provide placements and services to youth who require specialized services.

TIP: Schools can help with targeted foster parent recruiting.

In partnership with DFPS, schools can play an active role in recruiting foster parents. Schools can speci cally help increase thin4e5(iesidei 110.1T*)Tj3(a)-5((l)7(y ar)10(e.)]TJ EMC /Span <</MCID 2063 >>E

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A student's journey through foster care is more clearly understood through the CPS Stages of Service described below.

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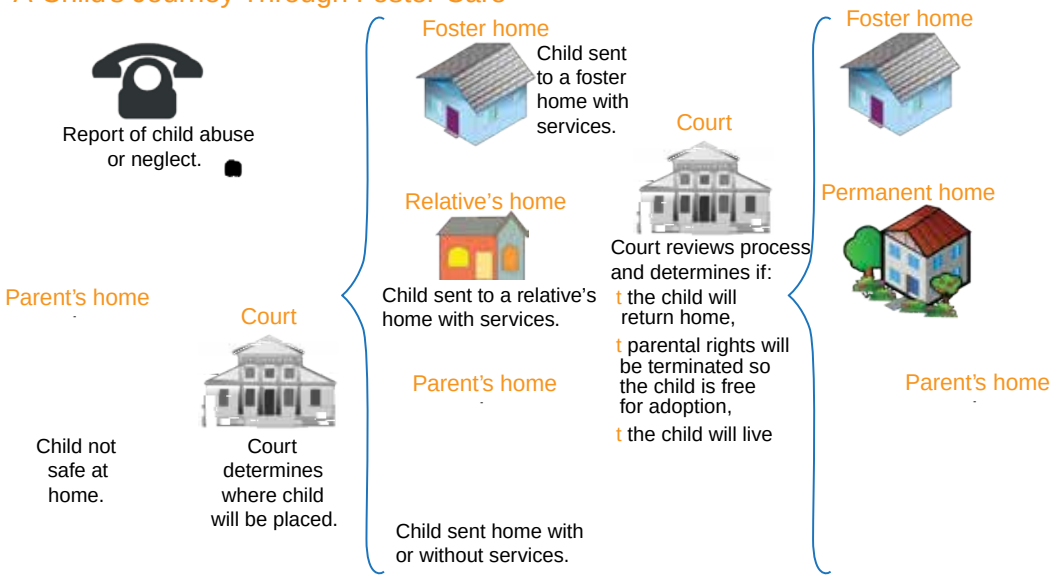
Intake	DFPS administers a toll-free 24-hour hotline for reporting suspected abuse and neglect of children, the elderly, or people with disabilities.
Investigation	Intake reports are assigned and CPS workers interview children, parents, and others with knowledge of the family. The interviews help determine if abuse or neglect has occurred and evaluate child safety.
Family Based Safety Services (FBSS)	When it is safe to do so, CPS provides in-home services to help stabilize the family and reduce risk of future abuse or neglect. Most children and youth continue to live in their own homes or with relatives during this time. Parents maintain legal custody of the children.
Foster Care/Substitute Care/Conservatorship	When it is not safe for children or youth to live with their own families, CPS petitions the court to remove the children or youth from their homes. This process formally places a child in what is referred to as foster or substitute care.
Adoption	Once a child is available for adoption because parental rights have been terminated, the court may name other individuals as the child or youth's legal parent. (A lifetime college tuition and fee waiver is available for qualifying children who remain in foster care until age 18 and some of those who are adopted from DFPS) (see page 10 × Ô Ó Ø for eligibility requirements).

A Child's Journey Through Foster Care



Department of Family and Protective Services (DFPS):

School personnel may interact with DFPS sta and others involved in the life of a student (child or youth) in foster care, such as:

Caseworker:

 e CPS caseworker is the primary DFPS sta responsible for the oversight of a child or youth's case and has multiple responsibilities. e caseworker is the direct link with the child or youth, caregiver, the court system, and multiple service providers. e caseworker is responsible for ensuring the child or youth's needs are met and that the child or youth receives all necessary and appropriate services while in foster care. e CPS caseworker visits with the child or youth at least once a month and supervises visits with siblings and family members. Caseworkers and caregivers are to be noti ed by school sta if they have concerns about a child or youth in DFPS conservatorship

Once CPS determines that a child needs to live outside of his home due to abuse or neglect, CPS must le a lawsuit and ask a court to approve the child's living situation. Judges will continue to monitor the child's circumstances until the child resides in a safe, permanent home (see page 21

Child's Attorney ad litem:

e Texas Family Code requires that an attorney ad litem (AAL) be appointed to represent the legal interests of a child when DFPS asks to be made the child's legal conservator or seeks to have the parents' rights to the child terminated. Once a nal order is entered, which could include granting Permanent Managing Conservatorship (PMC) to DFPS, the court may dismiss the attorney ad litem.

TIP: The attorney ad litem may contact the school for information regarding the child's education status and needs.

In an order appointing the attorney to represent the child, there should be language allowing the attorney to have immediate access to the child and any information relating to the child. An attorney ad litem for the child is also entitled to records related to the child, including school records, without requiring a further order or release.

Attorney for Parents and DFPS:

e attorney for a child's parents and the attorney for DFPS are other court-related representatives involved in a child's case. An attorney will represent DFPS in its legal proceedings. In some counties, DFPS will be represented by the local prosecutor's o ce — either the county or district attorney — or by a regional attorney who is an employee of DFPS. Parents' attorneys may be hired or appointed by the court, depending on the nancial situation of the (io)12(n)]TJ EMC27 or(s 81 /Span <</MC6D 2274 >6BDC -0.014 Tc 0.01 Tc839 474.MC .83 422.7746 582.91 Tm

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Each school district and open-enrollment charter school is statutorily required to appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of DFPS when enrolling in or changing schools. e information in this section provides suggestions on practices for liaisons based on statutory requirements, and feedback from current foster care liaisons, as well as partners across education, child welfare, and the courts.

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LAW. Each school district and open enrollment charter school shall appoint at least one employee to act as a liaison to facilitate the enrollment in or transfer to a public school of a child in the district who is in the conservatorship of the state.

What type of school sta would make an ideal district foster care liaison?

While there are no formal requirements about who should serve in the district foster care liaison role, certain education professionals may be a natural t considering their skills or existing job responsibilities. Speci cally, those who:

- Have the authority to champion new district e orts;
- Work with mobile student populations;
- Are familiar with enrollment, records transfer, existing community services, and student supports;
- Understand the unique challenges of students who are in foster care;
- Serve as a high-level administrator;
- Are directors and leaders in student support services;
- Are principals and campus leaders; and/or
- Are counselors or counselor administrators.

ese liaisons will build capacity and infrastructure within their district to support students in foster care. Ideally, they will also coordinate with individual campuses, community services agencies, caregivers, local colleges, and advocates involved with the child welfare system.

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1. Notify TEA of district liaison:

- All districts and open-enrollment charters must register their liaison(s) with TEA. Please send an email with the name, position, and contact information of the designated liaison(s) to: fostercareliaison@tea.state.tx.us
- Please complete the Foster Care Liaison Introductory Survey at: www.surveymonkey.com/s/Fostercareliaisons
- To make sure the district has access to the most current information in Texas, join the Foster Care Education Listserv at: ritter.tea.state.tx.us/list/ and select Foster Care Education.

2. Notify campus and district leaders of liaison appointment:

Distributing an informational letter to leaders within the district and at individual campuses is an important rst step to ensuring that people are aware of the liaison position and appointment within the district. To increase awareness and promote e ective practices within the district, include information about the responsibilities of the liaison, the importance of school stability, and the statutory provisions that support students in foster care. In August , TEA disseminated a To e Administrator Addressed (TAA) letter informing districts of the need for a liaison and the importance of school stability for students in foster care. Additionally, a TAA letter for Foster Care Awareness Month promoting understanding of foster care and education was distributed in May . ese letters may be attached to district and campus communications to increase awareness and strengthen support.

3. Visit the TEA Foster Care & Student Success website and listen to webinar trainings:

TEA will provide training and continued guidance for district foster care liaisons. To view archived trainings, visit: www.tea.state.tx.us/FosterCareStudentSuccess/liaisons/

4. Develop and coordinate individual “campus champions” for students in foster care:

Best practices suggest identifying individual campus champions to share the work of the district liaison and to ensure students are served appropriately and e ectively at each campus within the district. Having a point person at each campus may help to facilitate e ective enrollment and withdrawal, to ease student transitions, to coordinate across departments, and to organize individualized and enhanced campus level support. e district liaison can coordinate with designated campus champions to provide trainings and streamline communication processes to ensure campuses work in a uniform and coordinated manner. Overall, the district liaison can play an important role in coordinating and working with campus champions to establish district practices that ful ll responsibilities for students in foster care.

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1. Streamline enrollment processes for students in foster care:

e district liaison can provide expertise to the school district and its campuses about enrollment for students in foster care. Speci cally, the liaison should be aware of the special challenges of and legal requirements for students in foster care. ey can assist campuses in establishing mechanisms to identify students and implement strategies for tracking student progress. Liaisons can also develop processes that streamline enrollment with school registrars and front o ce sta and provide overall ease of enrollment in a new school. For example, it is important to ensure that school records from the previous school are received, students are placed in the appropriate grade level classes and receive books, and special education services are secured, if appropriate. As the point person for enrollment, the liaison can serve as the district's designated contact person to address school-related questions and concerns regarding foster students (see Chapter 6 and Chapter 7 for more information on enrollment).

2. Implement student data tracking and monitoring mechanisms:

TEA is developing a PEIMS indicator code for students in foster care based on legislation passed by the 83rd Texas Legislature. is information will support districts with identifying students, and with providing assistance to students in foster care. It will provide TEA with information to track, monitor and report aggregate student data and educational outcomes at the state level. TEA will provide districts and charters with guidance on tracking students in PEIMS a er the new indicator code is developed.

Connected to the PEIMS Indicator code that is required to upload foster care student data to TEA, is the important role for districts to provide statutorily required academic supports for students who are identi ed and coded as in foster care. In order to implement statutory requirements to provide students with assistance in school, districts should implement local data tracking mechanisms. Local systems should have the capacity to identify student needs, plan interventions, and monitor student progress regarding academic services that are provided. In addition, the PEIMS code should help schools to support students during critical transitions, and also to support school stability (see page 84 for information on transitions)

3. Ensure that students in foster care receive school nutrition and meal programs without further application:

A student in foster care is categorically eligible for U.S.D.A. child nutrition programs without further application. is includes the National School Lunch Program/School Breakfast Program (NSLP/SBP), Special Milk Program 4.1 'SFTI 'SVJU BOE 7FHFUBCMF 1SPHSBN ''71 4VNNFS 'PPE 4FSWJDF Care Food Program (CACFP). Establish a coordinated process within one's district to ensure students are able to receive meals immediately. A student's DFPS Placement Authorization Form addresses meal eligibility and is the only proof the school district needs to con rm eligibility (see page). is is an important training element for district food coordinators and campus champions. Foster care liaisons can ensure that students are enrolled in all food and nutrition programs o ered by the district.

4. Help coordinate withdrawal, records transfer, and credit recovery:

e liaison can work with school sta to develop and implement processes to ensure that students' credits are accurately calculated and that school records and credits are transferred through the electronic Texas student Records Exchange (TREx) system. Liaisons may coordinate with teachers to see that the students' education records are complete, especially when students move in the middle of a grading period. Liaisons should also provide information for students in acquiring credits for partial work completeeAyplete0.003 Tc 2503 Tw BT Tc ().)Tj EMC 8/Span <</0 Tc 0 Tw >

TIP: The DFPS Regional Youth Specialist is a former foster youth (foster care alumni) that works for DFPS and is available to provide understanding and strengthen awareness about the experience of students in foster care.

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Identifying which students are in foster care may be challenging in the school setting but is important to improving educational outcomes for this student population.

Identification is necessary:

- For proof of legal authority of the caregiver during enrollment
- To implement many supportive educational provisions regarding students in foster care
- To identify students who are eligible for supplemental instructional services, such as state compensatory education and funding (see page 82)
- To facilitate successful transitions for students (see page 84)
- To facilitate high school completion and overall student success in school (see page 92)
- To facilitate planning and transitioning into post-secondary education (see page 104)

TIP: Identifying students in a way that maintains confidentiality and provides the utmost sensitivity is highly important!

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ere are two primary documents that a school can request from a caregiver to con rm that the child or youth is in foster care and that the caregiver has the education decision-making authority for the child: .) e DFPS Placement Authorization Form and .) a court order (see below for details). Regardless of which of these documents is provided to the school, documents containing information regarding the student's status as a youth in foster care are con dential. ey should be kept in a secure area, such as a locked le cabinet, and only shared with other school personnel on a "need-to-know" basis (see page).

1. Placement Authorization Form: DFPS uses Placement Authorization Form 2085 to delegate its court-ordered authority to make day-to-day decisions regarding a child to an individual, usually a caregiver such as a foster parent or residential facility sta . e Form 2085 is proof of the agency's legal authority and is preferred by DFPS as evidence of DFPS conservatorship because it is more likely an individual foster parent or facility sta member will have a copy of the form rather than the court order.

Depending on where a student lives, the placement type identi ed on the form will be di erent. e subtitle on the second line might say "Foster Care/Residential Care," "Kinship or Other Non-Foster Caregiver," "Home and

Can the ***Placemen A ho i a ion Fo m 2085*** be used as evidence of legal responsibility when enrolling a student in school?
Yes, schools may allow a person to show evidence of legal responsibility for the child other than a court order, such as the DFPS Placement Authorization Form 2085, to enroll a child in school. Schools are encouraged to accept this proof of DFPS conservatorship in order to prevent any delays in enrollment or education decision making as caregivers may not have court orders in their possession.

CPS Court Orders and Con dentiality:
CPS court orders have private and con dential information related to a student's family and the reasons for his or her placement in foster care. Sometimes schools request court orders or other documents related to the CPS case unaware these may contain very personal details related to a student's abuse or neglect history. Information may be redacted from the court order before a copy is given to the school, if it is not related to identifying DFPS as the managing conservator or not needed to meet a child's educational needs or for the safety of other students.

Compensatory Education and Funding:
A student who is in the custody or care of DFPS is a student considered at-risk of dropping out of school for the purposes of Texas Education Code § . . Because of this status, there is a code in TEA's education management database (PEIMS) which should be entered to indicate that the student is eligible to receive compensatory instructional services to assist with high school completion. is is PEIMS at-risk indicator code . erefore, each student enrolled with the Placement Authorization Form or a court order should be coded with at-risk indicator code in PEIMS and be eligible for state compensatory education services.

TIP: Students enrolling with forms other than a Placement Authorization Form 2085 may be eligible for services under the $)) 4) / * . To ensure students receive all eligible supports, please contact your district's homeless liaison.

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Consideration when students are involved with CPS but notin conservatorship or substitute care:

In order to promote student achievement, schools are encouraged to provide individual interventions and supports for all students according to their educational needs. ere are situations where students are involved with DFPS and may be receiving services from the child welfare system, but are not in substitute care/conservatorship (see "Stages of Service," page 37). In some circumstances, such as a child or youth living in an emergency shelter, awaiting a foster care placement, PS QMBDFE WPMVOUBSJMZ XJUI B SFMBUJWF B DIJME PS ZPVUI NBZ RVBM &EVDBUJPO "DU 'PS NPSF JOGPSNBUJPO DPOUBDU UIF EJTUSJDU .D,JOOF CFOF DJBM JOGPSNBUJPO PO VOEFSTUBOEJOH UIF SFMBUJPOTIJQ CFUXFF following page.

Decisions to share confidential information must be made on a case-by-case basis, sharing only the minimum information necessary and only to individuals who "need-to-know" the information to support the child's education and well-being.

It is generally appropriate for CPS to share the following types of information with relevant school personnel:

- Current address for child;
- Identity of individual with authority to enroll child in school;
- Caseworker contact information;
- Birth certi cate or other identi cation;
- Certain sections of the Education Portfolio or Passport;
- Previous schools attended;
- Transcripts, report cards;
- Special Education or 504 eligibility, including any ARD/IEP reports or Behavior Intervention Plans;
- Immunizations;
- 7JTJPO PS IFBSJOH FWBMVBUJPOT BOE
- Medicaid eligibility or number, if necessary for services.

Based on a case-by-case determination by the DFPS caseworker or caregiver, it may be appropriate to share:

- Relevant court orders;
- Contact information for the biological family;
- Fact that child is in a relative or kinship placement;
- Child's relevant medical, disability, or health history;
- Mental or behavioral health issues;
- Medications, including psychotropic medications;
- Alcohol or substance abuse history and/or treatment (generally only with consent of all parties, including the youth);
- Social history; and
- History with law enforcement or juvenile justice.

To view the presentation in its entirety, visit: www.yourhonor.com/myprofile/assets/Connection_between_Education_and_CPS_Law.pdf

It is NEVER appropriate to share:

- Abuse/neglect history;
- Fact that child was adopted;
- Name of the person who reported the abuse or neglect, if known;
- CPS investigation details; and
- Biological or foster family income in order to determine services for the child in foster care.

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Delays and challenges with enrollment signi cantly impact the educational experience and outcomes of students in foster care. Despite the laws and practices established in the education and child welfare systems to prevent them, enrollment delays are common. Challenges to enrollment exist including:

- Partial and missing records;
- Lack of knowledge of the enrollment process and mandatory provisions for students in care;
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Information for enrollment

1. Identity of parent or legal guardian/legal authority;
2. Proof of residence;
3. Proof of the child's identity (child's birth certi cate or another acceptable document);
4. Immunization records;
5. School records from last school attended; and
. For children under age , records from ALL the student's previously attended schools.

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1. Identity of parent or legal guardian/legal authority:

Who may enroll a student living in foster care in school?

If a child is in a foster care placement, DFPS has legal authority to enroll the child in school. DFPS may delegate that authority to another person, usually the person who will be responsible for day-to-day care of the child, such as the:

- Foster parent or designated caregiver;
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Child welfare partners may provide academic information from the previous school setting:

Foster parents, caseworkers and other advocates may facilitate the enrollment process by providing information

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What should be done when a student in foster care withdraws or changes schools?

District liaisons and school personnel can assist in the coordination of proper withdrawal by ensuring that the person withdrawing the child knows the process and by con rming that all records are gathered and forwarded in a timely manner. Making certain all educational records follow the child during school moves is critical and impacts education outcomes. Once the school is noti ed of the need to withdraw a child, whether it is advance or emergency notice, then the school personnel should immediately begin gathering records.

TIP: Inform caregivers of the school and district withdrawal processes.

Additionally, withdrawal information like report cards and check-out sheets may be given to the caregiver and placed in the student's Education Portfolio for possible use by the new school (see Appendix I for a list of what education information is included in the Education Portfolio).

Who is responsible for withdrawing students?

Generally, the caregiver or the CPS worker is responsible for withdrawing students.

LAW: Because of a Family Educational Rights and Privacy Act (FERPA) exception, even if a caregiver or foster parent did not formally withdraw the student from the previous school, enrollment by a student in another school district provides authority for the original school district to release the education records of that student to the new (receiving) school, regardless of whether parental consent has been received.

TIP: The person who withdraws the student may be di erent from the person who enrolled the student.

In some instances and for numerous reasons, the caregiver or caseworker who enrolled the student may not be the same person who is withdrawing the student. Communication between school sta , caregivers, and caseworkers can aid in clarifying roles and responsibilities.

How can school personnel promote e ective records transfer?

Local child welfare and education agencies are encouraged to coordinate and establish collaborative practices to improve overall records transfer and communication. A delay in records transfer may result in a student repeating a course or not receiving appropriate educational services.

TIP: District liaisons should follow up with the previous school to ensure withdrawal and with the current school to ensure enrollment.

Facilitating smooth transfers is a key responsibility for newly-appointed foster care liaisons. District liaisons or a designated sta member on each campus, such as a campus champion, can follow up to make sure that students receive their grades and are awarded credit and partial credit for work completed previously. ey can also see that credits earned are properly entered in the TREx system and transferred through TREx to the new school and district. Following up within the schools will help facilitate e ective withdrawal and records transfers. Liaisons also provide an important point of contact within the education system for those in the child welfare community — CPS, caregivers,

What is the Texas Student Records Exchange — TREx?

TREx is the system that facilitates records exchange of all student records across Texas. When a student moves

What happens if a student's whereabouts are unknown?

In the event that a student is not found, his or her whereabouts remain unknown, and he or she has not o cially withdrawn from school, the district should decide the withdrawal date for the student according to applicable local policies.

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When a court order places a child in DFPS conservatorship, state law provides that DFPS is authorized to assume roles usually assumed by parents, including the responsibility to make educational decisions on the child's behalf. DFPS generally delegates certain day-to-day education decision making responsibilities to the child's caregiver.

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Caregiver Responsibilities — Unless the DFPS caseworker indicates otherwise, the caregiver or foster parent may make the following education-related decisions, take the following types of actions, or be contacted for the following purposes:

Enroll a child in school, including providing identity or immunization information needed for enrollment.

Determine, in conjunction with the child if appropriate, course selection and participation in extra-curricular activities.

Attend routine school activities such as “Parent’s Night,” parent-teacher conferences, PTA meetings, and similar activities that involve parents.

Approve the child’s participation in routine or non-routine school activities such as dances, field trips, sporting events, etc.

Be notified of injury or illness on school grounds or at a school activity on or o school grounds.

TIP:

LAW: In addition to federal provisions that promote information sharing between education and child welfare, state law also supports it. Amendments to Texas law, passed by the 83rd Texas Legislature, require school districts to notify the child's educational decision-maker and caseworker regarding events that may significantly impact the education of a child (see page 91 for a comprehensive list of events these notifications is required).

So 2hat is the .chool's esponsibility 2hen $ndividuals all the .chool 2anting $nformation bout a .tudent?

It depends on who is calling. School sta should follow FERPA regulations when releasing school-related information. DFPS sta , the child's caregiver, attorney ad litem, CASA, and others identi ed in the court order may access education information according to FERPA. When in doubt, one can always ask to see either the court order or the DFPS 1 M B D F N F O U " V U I P S J [B U J P O ' P S N

RESOURCES: FERPA and Information Sharing

The Uninterrupted Scholars Act:

Read a Joint Letter from the U.S. Department of Education and the Department of Health and Human Services addressing the Uninterrupted Scholars Act: ed.gov/sites/default/ les/Joint_FERPA_Letter_with_ED_OESE__HHS_ACF_4_24_2013.pdf

7 J F X B - F H B M $ F O U F S G P S ' P T U F S $ B S F B O E & E V D B U J P O video about the Un www.youtube.com/watch?v=4Ik R_Xx6Y&feature=player_embedded#

Read e Uninterrupted Scholars Act: How do Recent Changes to FERPA Help Child Welfare Agencies Get Access to School Records?": www.fostercareandeducation.org/portals/0/dmx/2013/02/ le_20130211_145758_xjnFqt_0.pdf

The Legal Center for Foster Care and Education has additional guidance addressing FERPA and information sharing:

"Mythbusting: Breaking Down Con dentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care": www.americanbar.org/content/dam/aba/migrated/child/education/publications/mythbusting2.authcheckdam.pdf

"Solving the Data Puzzle — A How-to Guide on Collecting and Sharing Information": www.americanbar.org/content/dam/aba/migrated/child/education/publications/solvingthedatapuzzle.authcheckdam.pdf

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Yes, children and youth in foster care are eligible for U.S.D.A. child nutrition programs, including free meals/milk in the National School Lunch Program (NSLP)/School Breakfast Program (SBP), Special Milk Program 4.1 'SFTI 'SVJU BOE 7FHFUBCMF 1SPHSBN ''71 4VNNFS 'PPE 4FSWJDF Care Food Program (CACFP). Caregivers for children and youth in foster care do not have to complete a separate application for these programs. The DFPS Placement Authorization Form 2085 provides for immediate authorization of the named child or youth to participate in the programs offered through the U.S.D.A.. District liaisons can verify students' eligibility with food service departments and local campuses to make sure students receive immediate meal assistance.

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Yes, children currently in foster care or children who have ever been in foster care in Texas as a result of an adversary court hearing are eligible for enrollment in the local public school pre-kindergarten program. Texas schools are required to offer a free pre-kindergarten program if the district identifies 15 or more eligible students.

Once a program for four-year-olds has been established, children that meet the eligibility requirements for pre-kindergarten must be served and cannot be placed on a waiting list. Many districts offer a program for three-year-olds and, if they do, the eligibility is the same as long as the child is three years old by September 1st of the school year.

In some smaller districts, Head Start may be the sole provider of pre-kindergarten programs. Head Start programs may reach enrollment capacity and foster children, even though categorically eligible, may be placed on a waiting list.

Transportation is not required for the public school pre-kindergarten program, but if the school provides transportation for pre-kindergarten children, those costs can be included for funding purposes as part of the regular transportation system.

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School attendance is mandatory for students in foster care, as it is for all other six-to- -year-old Texas students. Due to the nature of foster care, students may have various appointments that are mandated through court orders or their case plans that may interfere with school attendance. Caregivers try to schedule student appointments before and a er school and on the weekends; however, sometimes this is not possible. Caregivers and school sta sho

Students in foster care may have a history of neglect and physical or emotional abuse, as well as school disruptions. Taken together, these traumatic experiences may impact a student's response to stimuli and result in challenging behavior. erefore, learning more about trauma and trauma-informed care strategies is recommended.

TIP: Supporting trauma-informed training for teachers, resource o icer s, and other school sta (see page 82), as well as increasing awareness of positive behavioral supports and interventions, has been found to have a positive impact on student behaviors and on school climate (see below).

e Texas Education Agency has developed resources to support students and schools by collaborating with Regional Education Service Centers (ESCs) and universities in Texas. TEA and ESCs provide school districts with research-based strategies and professional development regarding how to personalize the instructional environment for each student.

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Students come into foster care through no fault of their own, but their status as “foster children” can be a source of deep shame and stigma. School personnel play an important role in being sensitive and creating a school environment that is emotionally safe and supportive of students who experience foster care.

Maintain confidentiality:

- It is important that a student is not publicly labeled as a foster child nor attention brought to the fact that the student is in the foster care system.
- Avoid discussing private student matters in public places, such as a break room, where con dential information may be overheard by school sta or students.
- Do not use the loud speaker, class announcements, or other public means to notify students of appointments and visitors related to their CPS cases.
- Refrain from asking students personal questions related to why they are in foster care. If a student shares this very personal information, it should be completely up to him or her and not because school personnel initiated the discussion.

Be mindful of the impact that family-based school assignments and activities have on students:

No matter the reasons for entering foster care, school assignments and activities that assume all children live with their birth family or know their family history may be di cult and present challenges for students in foster care. Assignments such as creating a family tree or a Mother’s Day card or giving a presentation about a memorable family vacation can be very di cult. Alternative activities for these types of school assignments should be explored.

Avoid negative stigmatization and assumptions:

- Students in foster care can be negatively labeled and stigmatized in school and in other community settings. Stigmatization can be detrimental to a student’s well-being and educational success.
- Stigmas in school create challenges such as:
  - Delays in enrollment because assumptions are made that students in care will only be enrolled in the new school for a short period of time.
  - Trauma and post-traumatic stress symptoms may be misdiagnosed. Misdiagnosis leads to students not receiving proper educational supports.
  - Placement in “minimum graduation programs.” Texas data reveals that students in foster care are disproportionally placed in the minimum graduation program.
  - Assumptions are sometimes made that youth in care do not have post-secondary education goals. is myth negatively impacts students. On the contrary, research demonstrates that 70%

of teens in foster care desire to attend college. If students and education decision makers are not consulted about the student's graduation program, they may be unaware of the impact of the minimum program on future college access and entrance.

Confronting Stereotypes of Youth in Foster Care is a great video that can be shared to increase awareness about the stereotypes and stigmas students o en face: www.youtube.com/watch?v=rheuqlV7ebs&feature=youtu.be

Be aware of the reasons why a student in foster care may miss school and how it might impact coursework:

Students in foster care may miss school due to parent and sibling visits, court dates, therapy, and other appointments. ese absences are excused if the activity was ordered by the court./Span <</MCID 4526 >>BDC 0 1

districts have considerable exibility with these funds for service provision, the funds may only be used to incorporate instructional strategies that have been shown by scienti cally-based research to be e ective with teaching low-achieving students. is may include interventions such as:

- tutoring;
- supplemental reading or math programs;
- school social work services (including home visitation) to engage parents or caregivers in improving academic achievement;
- consultation with instructional sta ;
- coordinating community resources such as mentors and advocates; and
- providing direct individual, group, and crisis counseling.

Compensatory education services available for students must be described in the district or campus improvement plan. School sta may speci cally connect foster youth with these supplemental programs.

If a district has Title I funding to support a school-wide program for low-achieving students under the Elementary and Secondary Education Act of 1965, the district may coordinate its state compensatory education services with the federal Title I services.

Regardless of the funding source used for supportive services, all programs and supports should be based on evidence that the strategies used help improve student achievement and keep the student advancing toward high school completion. ese strategies are discussed more fully in the following section.

RESOURCES: Additional Supports

e Texas State Compensatory Education program:
www.tea.state.tx.us/index4.aspx?id=4082

e Elementary and Secondary Education Act, No Child Le Behind:
www.tea.state.tx.us/index4.aspx?id=4261&menu_id=2147483742

Bilingual Education:
www.tea.state.tx.us/index2.aspx?id=4098

TEA state grant opportunities:
www.tea.state.tx.us/index2.aspx?id=2147487920&menu_id=951

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is next section uses language from the Texas Education Code (TEC). Because the term “substitute care” is used in addition to the term “foster care” in the Texas Education Code, it is also used within this section when describing these provisions.

e Texas Legislature has found that students in foster care are faced with numerous transitions during their formative years. According to Texas Education Code Section 25.007, students in foster care who move from one school to another are faced with special challenges in learning and future achievement. Given this recognition, the Texas Legislature has charged the Texas Education Agency to work with school districts in order to support learning and achievement for children in foster care, particularly when the students transition to new schools.

Reminder: The term “foster care” is being used throughout this guide to refer to all children and youth in CPS conservatorship/substitute care.

Select policy and practice guidance based on the Texas Education Code — Transition Assistance for Students in Foster Care:

1. Ensure that school records for a student in substitute care are transferred to the student's new school not later than the 10th day after the date the student begins enrollment at the school (see Chapter 7 for more information on enrollment and Chapter 8 for more information on records transfers for students in foster care).

2. Develop systems to ease transition of a student in substitute care during the first two weeks of enrollment at a new school.
   Transitioning to a new school is challenging for all students, especially students who have experienced numerous school transitions. Schools are encouraged to develop specific supports and systems to ease the transition. Schools are encouraged to create or adopt an "enrollment checklist" to help guide the activities of transferring a student into a new school.

   Additional considerations to ease school transitions:

   - Provide the student and caregiver with a welcome packet that includes information about enrolling in extracurricular activities, clubs, and tutoring opportunities.
   - Facilitate introductions of the student to faculty, other students, and to the school environment.
   - Convene an enrollment conference with the student in the first two weeks.

     An enrollment conference is a school support strategy that was recommend in the "Texas Blueprint: Transforming Educational Outcomes For Children & Youth in Foster Care" enrollment conference would occur upon/after enrollment in a new school, to be attended by

t Schools can also engage the caregiver and the student to develop the Personal Graduation Plan (PGP) required by the Texas Education Code. PGP is required for each student enrolled in a middle, junior, or high school who does not perform satisfactorily on the state assessment or is not

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Extracurricular fee waivers for athletics or clubs could help youth engage in positive youth development opportunities. Whenever possible, schools should consider strategies to work with caregivers to link foster youth with these types of programs that support learning. Schools can reach out to invite students to participate and to obtain caregiver permission for student involvement in supportive services such as these.

Are there any special considerations for students in foster care related to participation in extracurricular activities?

School districts may not impose durational residency requirements for students in foster care for any activity sponsored by the school district. Although the University Interscholastic League (UIL) imposes durational residence requirements on students generally, the Office of the Texas Attorney General has found that No durational residential requirement in the UIL rules may be applied to a child placed by DFPS or a court into a foster home located in a receiving school district. This is true regardless of whether it is the student's first time to be placed in a foster home or the child has been moved to a new foster home; if the placement is by DFPS or a court, no durational requirement can be imposed if the reason for the student's relocation is placement in care.

RESOURCES: Extracurricular Programs

National Center For Youth Law, "Beyond the Basics — How Extracurricular Activities Can Benefit Foster Youth," October–December 2010:
www.youthlaw.org/publications/yln/2010/oct_dec_2010/beyond_the_basics_how_extracurricular_activities_can_benefit_foster_youth/

21st Century Community Learning Centers:
www.tea.state.tx.us/index2.aspx?id=3546&menu_id=814

Communities In Schools:
www.tea.state.tx.us/index3.aspx?id=4639&menu_id=720

University Interscholastic League, Constitution & Contest Rules (–):
www.uiltexas.org/policy/eligibility

National Resource Center for Permanency and Family Connections:
www.hunter.cuny.edu/socwork/nrcfcpp/info_services/education-and-child-welfare.html

5. Establish procedures to lessen the adverse impact of moving a student in "substitute care" to a new school:

School staff are encouraged to use the flexibility available to local school districts to establish supports for a student in foster care moving to a new school. Previous sections discussed local opportunities to examine and develop policies and procedures to ease the transition for youth in foster care. Another strategy suggested to reduce the negative and unintended consequences of student transitions is to implement the concept of a Care Team.

tA Care Team is a school support strategy that was recommended in the "Texas Blueprint: Transforming Educational Outcomes For Children & Youth in Foster Care" (see page 20). is team could be a group of professional staff members who provide and meet the educational needs and challenges of students who are not eligible for or receiving special education services.

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To register one's district liaisons with TEA, please send an email with the name, position, and contact information of the designated

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Promoting high school completion is important and necessary! Students in foster care are entitled to all education services generally available to other students. Additionally, students may bene t from additional attention in the school setting to make certain they remain on track for high school completion and graduation. School sta can help by reviewing students' class schedules and coursework as an important element to properly advising students and ensuring progress towards timely high school completion and graduation. Communicating with the student and caregiver about academic progress, standardized testing, and future goals is also important.

TIP: It is important to provide information to child welfare partners about standardized testing dates and work to ensure students participate in testing, even if a school move occurs near testing dates.

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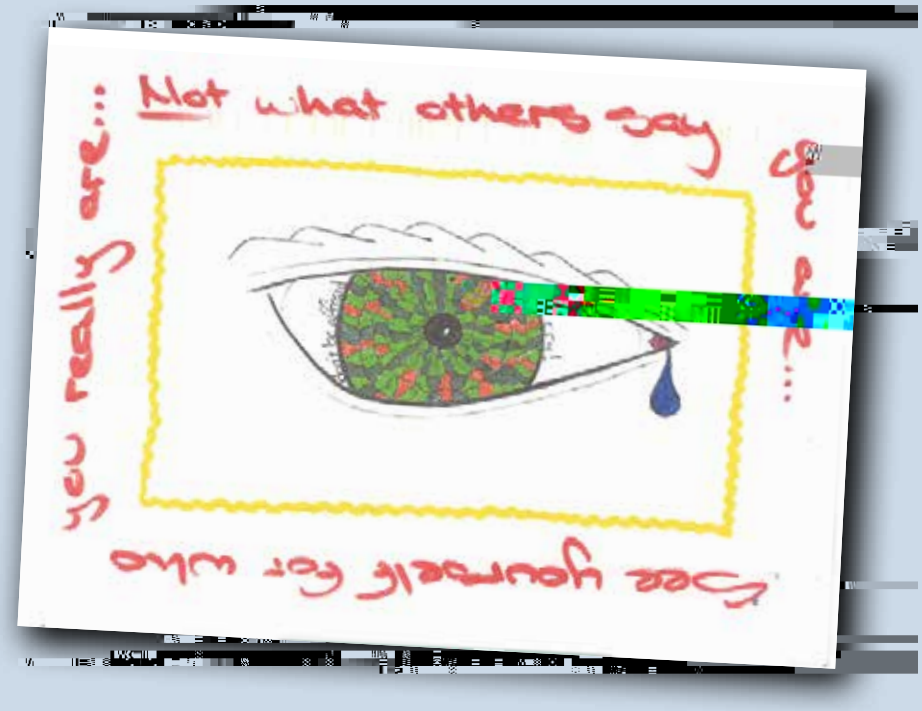
ere may be special circumstances where a student younger than 18 may be working toward a GED; however, in most circumstances DFPS elects for students to complete a high school diploma. Contact the student's caregiver and caseworker for more information. In situations where students and young adults are 18 and older and desire to earn a GED information and link students to GED resources and opportunities. Local colleges, Job Corps, and other programs may o er opportunities for students to earn a GED and/or additional skills training. Assisting students in transition by helping them link with GED and additional training opportunities can be another avenue to support students.



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TIP: It is helpful when caregivers and other advocates working with the child are informed about the child's IEP.

Generally, there is a person who works in the school who is responsible for overseeing the implementation of the IEP and aware of the details related to the student's progress. is person may be called the folder teacher or case manager. Caseworkers, advocates, and caregivers are encouraged to contact this person for more information about the student's IEP.

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A parent for the purposes of IDEA is de ned as:

- D Biological or adoptive parent
- D Foster parent unless prohibited by state law
- D Guardian generally authorized to act as the child's parent or to make educational decisions for the child
- D

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When a student moves to another school in the middle of the special education evaluation process, IDEA requires that the sending and receiving school must coordinate to ensure a prompt completion of the evaluation. Texas law requires the receiving school district to accept a special education referral made by the student's previous school if the student was in the process of being evaluated for special education eligibility at the sending school, the evaluation must be completed by the 60th calendar day following the date on which the new school district receives written consent for evaluation.

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IDEA requires that state and local education agencies involve parents in decisions about their child's needs. In situations where the child is a ward of the state, has no parents, or no parents can be located, a surrogate parent must be appointed to represent the child and protect the child's rights in matters relating to identi cation, evaluation, and educational placements in special education.

Who is not eligible to be a surrogate parent?

- A school district employee or any agency involved in care or education of the child, such as DFPS, the Texas Juvenile Justice Department, a school, or a Residential Treatment Center.
- Any person with personal or professional interests that con ict with the interests of the student.

LAW:

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All children with disabilities residing in the state who are in need of special education and related services, including children with disabilities attending private schools, must be identi ed, located, and evaluated. is process is called Child Find. IDEA speci cally includes “wards of the state” and “highly mobile children” as groups of students for whom school districts have a Child Find responsibility.

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A Section 504 plan may be an option for students who do not qualify for special education services under IDEA. Section 504 of the Rehabilitation Act is a civil rights law that prohibits discrimination against individuals with disabilities. Section 504 ensures that the child with a disability has equal access to an education. Section 504 plans provide education accommodations that level the playing eld, without changing what the student is expected to master. Adjustments necessary for trauma-related and learning gaps can be provided through a Section 504 plan. Unlike the IDEA, Section 504 does not require the school to provide an IEP.

RESOURCES Special Education and Section Information

An overview of Section with helpful resources and links:
www.texasproject rst.org/Sect .html

A helpful tool describing modi cations and accommodations available in a Section plan:
www.texasproject rst.org/Modi cationAccommodation.html

Key Words and Helpful Terms:
nichcy.org/schoolage/keyterms
framework.esc .net/display/Webforms/ESC -FW-Glossaries.aspx?FID= &DT=G&LID=en

ADHD and Hyperactivity Information:
nichcy.org/wp-content/uploads/docs/fs .pdf

Special Education :
www.texasproject rst.org/SpecialEd .html

Behavior at School: nichcy.org/schoolage/behavior/atschool

Region Behavior Guidance: www.esc .net/default.aspx?name=ses.behavior

Advocacy Groups:
Disability Rights Texas Website:
www.disabilityrightstx.org/

Parent Resources:
Texas Project First: Families, Information, Resources, Support & Training
— a helpful tool written for Parents by Parents: www.texasproject rst.org/

Parent Resource Network — Empowering Parents through Education: www.partnerstx.org/

Texas Parent to Parent: www.txp p.org/resources/specialed.html

TEA:
Special Education Dispute Resolution Process:
www.tea.state.tx.us/index .aspx?id=

Special Education in Texas A-Z:
www.tea.state.tx.us/index .aspx?id=

TEA Accommodations Manual — click on the " – " manual:
www.tea.state.tx.us/student.assessment/taks/accommodations/

ARD Guide:
framework.esc .net/Documents/ARD%20Guide%20March .pdf

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To learn more about the experience of students in foster care and the impact of transition from a youth's perspective, see these audio and video links:

Aging Out: What happens when you've grown up in foster care and suddenly you're on your own? www.elocallink.tv/vp2/vp3_show.php?cid=703&movie=jimcasey1

For more audio and videos go to the DFPS *Te a Yo h Connec i*on website: www.dfps.state.tx.us/txyouth/fun_stu /stories.asp

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Preparation for Adult Living (PAL) Services: Help youth ages and older prepare for adulthood and exit foster care. Independent living skills and case management services are provided to eligible youth up to age . Youth should be referred to regional DFPS PAL sta for more information. www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/default.asp

Transition Centers: Are "one-stop shops" and a central place for youth from to years to access resources, T F S W J D F T B O E J O G P S N B U J P O F Z B S F M P D B U F E U I S P V H I P V U 5 F Y B T 7 J default.asp center for a current list of Transition Centers.

Circles of Support (COS): Begins when a student is years old in preparation for adulthood and life a er foster care. COS meetings allow youth to meet with supportive and caring adults to discuss the youth's goals and future plans. e youth may invite teachers, school counselors, parents, siblings, foster care providers, and mentors to attend the Circle of Support meeting. Education-related supports and resources are an important element for discussion in preparation for exiting foster care. www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Transitional_Living/circles_of_support.asp

Extended Foster Care: Allows students enrolled in an education or career training program (who are eligible) to extend their stay in foster care (up to the age of to complete high school, or up to age to complete college or vocational/technical training). www.dfps.state.tx.us/Child_Protection/Fostering_Connections/extended_fostercare.asp

DFPS Transitional Living Services: www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Transitional_Living/default.asp

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Insurance: All children and youth in the conservatorship of DFPS are enrolled in STAR Health, a Medicaid program. is program provides continuous medical coverage to youth ages to who have aged out of traditional foster care at age and remain in extended foster care to complete high school requirements, pursue post-secondary education or vocational and technical training opportunities, or remain in foster care due to medical reasons. Remind students to update their STAR Health coverage with address changes upon leaving foster care for continuing bene ts. For more information, visit www.dfps.state.tx.us/txyouth/health/default.asp consent.

Driver's License: As of May , students in temporary or permanent conservatorship, and those – living in a DFPS paid foster care placement, are eligible for waived driver's license fees. Encourage students to contact their primary caseworker or Preparation for Adult Living (PAL) worker to take advantage of this opportunity. www.dfps.state.tx.us/documents/Child_Protection/DPS_License_Facts.pdf

Make Sure Youth Have Obtained Certified Copies of Birth Certificate, Social Security Card, and a Personal I.D. Card: On or before turning , youth should receive certi ed copies of these documents. School personnel can follow up with students to make sure they have received copies of this important paperwork.

Documents students should receive or have no later than days before exiting foster care: School personnel who work with older youth can follow up with students to make sure they have received copies (or the original, if appropriate) of:

- Birth certi cate;
- Social security card;
- Personal identi cation (ID) card;
- Immunization records;
- Information contained in youth's Health Passport;
- Proof of enrollment in Medicaid, if appropriate; and
- Ansting Medical Power of Attorney regarding the youth.

RESOURCES: Preparing for Adulthood & Transitioning Out of Foster Care

DFPS, "Access Granted — Texas Foster Care Handbook for Youth" — is a youth-friendly guide that provides a general overview of the foster care system and guidance on resources and supports for youth available in Texas. Making this type of information available in school counseling centers is important for increasing awareness and supporting the unique needs of students in foster care.
https://www.dfps.state.tx.us/Documents/Child_Protection/pdf/foster-care-handbook.pdf
(English version)
www.dfps.state.tx.us/documents/Child_Protection/pdf/foster-care-handbook-sp.pdf
(Spanish version).

DFPS, Texas Youth Connection website: www.dfps.state.tx.us/txyouth/default.asp

"Like" the DFPS Youth Connection Facebook page to receive updates and information:
www.facebook.com/texasyouthconnection

DFPS Transitional Living Services website:
www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Transitional_Living/default.asp

Texas Foster Youth Justice Project, "A Guide for ose "Aging Out" of Foster Care in Texas":
www.texasfosteryouth.org/downloads/agingout .pdf

Texas Foster Youth Justice Project website: www.texasfosteryouth.org/

ere are many nancial resources and college campus supports available to help young people from foster care access and succeed in higher education. Some college campuses in Texas have speci c support programs

- Was in the conservatorship of DFPS the day before his or her 18th birthday;
- Was in the conservatorship of DFPS on the day he or she graduated from high school or received his or her GED;
- Is in the conservatorship of DFPS and in high school and who takes a dual credit course, or other course for which a high school student may earn joint high school and college credit;
- Was in the conservatorship of DFPS on or a er his or her 14th birthday, if the youth was also eligible for adoption on or a er that day;
- Was in the conservatorship of DFPS the day before he or she was adopted, if the adoption occurred on or a er September 1, 2009;
- Was in the conservatorship of DFPS the day before permanent managing conservatorship was given to an individual who is not the child's parent, if permanent managing conservatorship (PMC) was given to the individual on or a er September 1, 2009; or
- Has an adoption assistance agreement with DFPS that provided both monthly payments and medical assistance.

A youth or child must have been in DFPS conservatorship before an adoption or PMC was granted to be eligible for the college tuition and fee waiver.

Note: The tuition and fee waiver is verified in the form of a letter from the Texas Department of Family and Protective Services.

Education & Training Voucher (ETV) Program: A federally funded and state administered program for youth in foster care or those adopted from DFPS a er turning age , it is available to youth starting at age up to the BHF PG uv &YQFOTFT MJLF CPPLT USBOTQPSUBUJPO BOE PUIFS TDIPP may be eligible to receive up to , in nancial assistance per year to support them in reaching their post- TFDPOEBSZ FEVDBUJPO HPBMT 7JTJU UIF MJOL QSPWJEFE GPS NPSF JO

www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Post_Secondary_Education/default.asp

Free Application for Federal Student Aid (FAFSA): It is important that students applying for college ll out their FAFSA accurately to qualify for the maximum number of scholarships and nancial resources available. ere

TIPS: Texas Lifetime Tuition and Fees Waiver

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[85] TEA 2012–2013 Student Attendance Accounting Handbook, pp. 55–57. www.tea.state.tx.us/index2.aspx?id=7739.

[86] 34 C.F.R. § 99.31(a)(2), § 99.34 (referring to an exception to FERPA).

[87] Tex. Educ. Code § 25.002 (a-1); Tex Educ. Code § 25.007 (b)

[88] TEA 2012–2013 Student Attendance Accounting Handbook, p. 54. www.tea.state.tx.us/index2.aspx?id=7739.

[89] TEA 2012–2013 Student Attendance Accounting Handbook, p. 55. www.tea.state.tx.us/index2.aspx?id=7739.

[90] TEA 2012–2013 Student Attendance Accounting Handbook, p. 54. www.tea.state.tx.us/index2.aspx?id=773.

[91] TEA 2012–2013 Student Attendance Accounting Handbook, p. 57. www.tea.state.tx.us/index2.aspx?id=7739.

[92] Baskin (2011), "Educational Needs of Children in Foster Care," Texas Association of School Boards: State Bar of Texas 37th Annual Advanced Family Law Course, p. 7.

[93] TEA 2012–2013 Student Attendance Accounting Handbook, p. 55. www.tea.state.tx.us/index2.aspx?id=7739.

[94] Tex. Fam. Code §153.371.

[95] H.B. No. 2619, Acts of the Texas Legislature, 83rd Regular Session, 2013, adds Tex. Fam. Code § 263.004.

[96] H.B. No. 2619, Acts of the Texas Legislature, 83rd Regular Session, 2013, adds Tex. Fam. Code § 264.1072 .

[97] H.B. No. 2619, Acts of the Texas Legislature, 83rd Regular Session, 2013.

[98] 42 U.S.C. § 675(1)(G).

[99] H.B. No. 2619, Acts of the Texas Legislature, 83rd Regular Session, 2013, adds Tex. Fam. Code § 264.1072.

[100] 42 U.S.C. § 675(1)(G).

[101] Baskin (2011, July), "Legal Issues Related to Educational Needs of Children in Foster Care." Inquiry and Analysis, p.3. education.texaschildrenscommission.gov/media/6279/IA-July-2011.pdf

[102] 20 U.S.C. § 1232g(b)(1)(L), (2)(B).

[103] 34 C.F.R. § 99.30.

[104] 34 C.F.R. § 99.3.

[105] 20. U.S.C § 1232g (b)(1)(J); 34 C.F.R. § 99.31(a)(9).

[106] 20 U.S.C. § 1232 g (b)(1) (B); 34 C.F.R.§§ 99.31(a)(2), 99.34.

[107] H.B. No. 2619, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 25.001(g).

[108] Tex. Fam. Code § 262.201.

[109] Tex. Educ. Code § 29.153.

[110] Tex. Educ. Code § 25.085(b).

[111] H.B. No. 2619, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 25.087.

[112] Tex. Educ. Code § 37.0011(c).

[113] Citations are no longer allowed for Class C misdemeanor on school campus. S.B. 393, Acts of the Texas Legislature, 83rd Regular Session, 2013, adds TEX. Educ. Code § 37.1043.

[139] S.B. No. 1404, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 25.007.

[140] A student in substitute care who is not likely to receive a high school diploma before the fi h school year following the student's enrollment in grade nine as determined by the district, must have the student's course credit accrual and PGP reviewed, (S.B. No. 1404, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 25.007).

[141] S.B. No. 1404, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 28.025.

[142] S.B. No. 1404, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 25.007.

[143] Tex. Educ. Code § 25.001(b).

[144] TEA, (2012), PEIMS report 2011–2012 ritter.tea.state.tx.us/adhocrpt/

[145] H.B. No. 5, Acts of the Texas Legislature, 83rd Regular Session, 2013, amends Tex. Educ. Code § 39.023(c).

[146] TEA, (2012), PEIMS report 2011–2012 ritter.tea.state.tx.us/adhocrpt/

[147] 34 C.F.R. § 300.306.

[148] 34 C.F.R. § 300.17.

[149] 34 C.F.R. § 300.30(a).

[150] Tex. Educ. Code § 29.015(b).

[151] 34 C.F.R. § 300.300(a)(2).

[152] 34 C.F.R. §300.304.

[153] Tex. Educ. Code § 25.007(b)(8).

[154] 20 U.S.C. § 1415 (b)(2) & 34 C.F.R. § 300.519.

[155] 34 C.F.R. § 300.519(d)(2).

[156] U.S.C § 1415(b)(2) & 34 C.F.R. § 300.519(h).

[157] Tex. Educ. Code § 29.015(a).

[158] 19 Tex. Admin. Code § 89.1047.

[159] Tex. Educ. Code § 29.001 (10)(B).

[160] Tex. Educ. Code § 29.001.

[161] 19 Tex. Admin. Code § 89.1050.

[162] 19 Tex. Admin. Code § 89.1050.

[163] Tex. Educ. Code § 29.001(10)(F).

[164] Texas Education Agency (2012, March), "Notice of Procedural Safeguards: Rigm1l 7 0 0 7 322.92 570.75 Tm [(T)66>>Beode § 89.1050.

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Foster Home	A home licensed by the state to provide a temporary home for children who are in foster care and given a reimbursement for providing room, board, and

PAL	Preparation for Adult Living is a program most youth in foster care start around age 16 to gain additional knowledge and skills for entry into adulthood a er leaving foster care.
PMC	Permanent Managing Conservator(ship); refers to the status of a child who has been placed in the permanent conservatorship of DFPS until the child is adopted, ages out of the DFPS system at age 18, or of whom legal custody is given to an individual other than the parent. It is also referred to as long-term foster care.
Providers	Persons or organizations who are under contract with DFPS to provide certain services to children and youth in foster care and their families.
RTC	Residential Treatment Centers are regulated by DFPS to provide placements and services to youth who require specialized services.
RTB	“Reason to Believe” is a finding made a er a CPS investigation confirming allegations of child abuse or neglect.
School of “origin” and “enrolled at the time of placement”	The school of “origin” is language used in McKinney-Vento law to describe the school the student attended when permanently housed, or the school in which the student was last enrolled (42 U.S.C. §11432(g)(3)(G)). For students in substitute care, federal and state law do not use school of “origin” language; but, “enrolled at the time of placement” is used when describing provisions that allow students to remain in their school, even when placed outside of the attendance area for the school or school district (Tex. Educ. Code 25.001 (g)).
SHARS	School Health and Related Services provide additional services in a school setting to children and youth in foster care through a Medicaid program available to Texas public schools for students receiving special education services. SHARS provides additional resources to schools. The caregiver and/or education decision maker may be asked during an ARD by the school to sign consent in order for the district to access these funds.
TLS	Transitional Living Services provide a systemic and integrated approach to transition planning, services, and benefits for older foster youth and those who have aged out. Services are available to youth ages 14 up to age 23.
TMC	Temporary Managing Conservatorship; refers to the status of a child who has been placed in the conservatorship of DFPS but no final orders have been entered determining the permanent legal status for the child.
Transition Centers	Transition Centers are a central clearinghouse of one-stop services for current and former foster youth, youth experiencing homelessness, and other at-risk youth. There are 16 Transition Centers throughout Texas operated by DFPS and partnerships and Texas Workforce Commission. See www.texasyouthconnection.org for more information.

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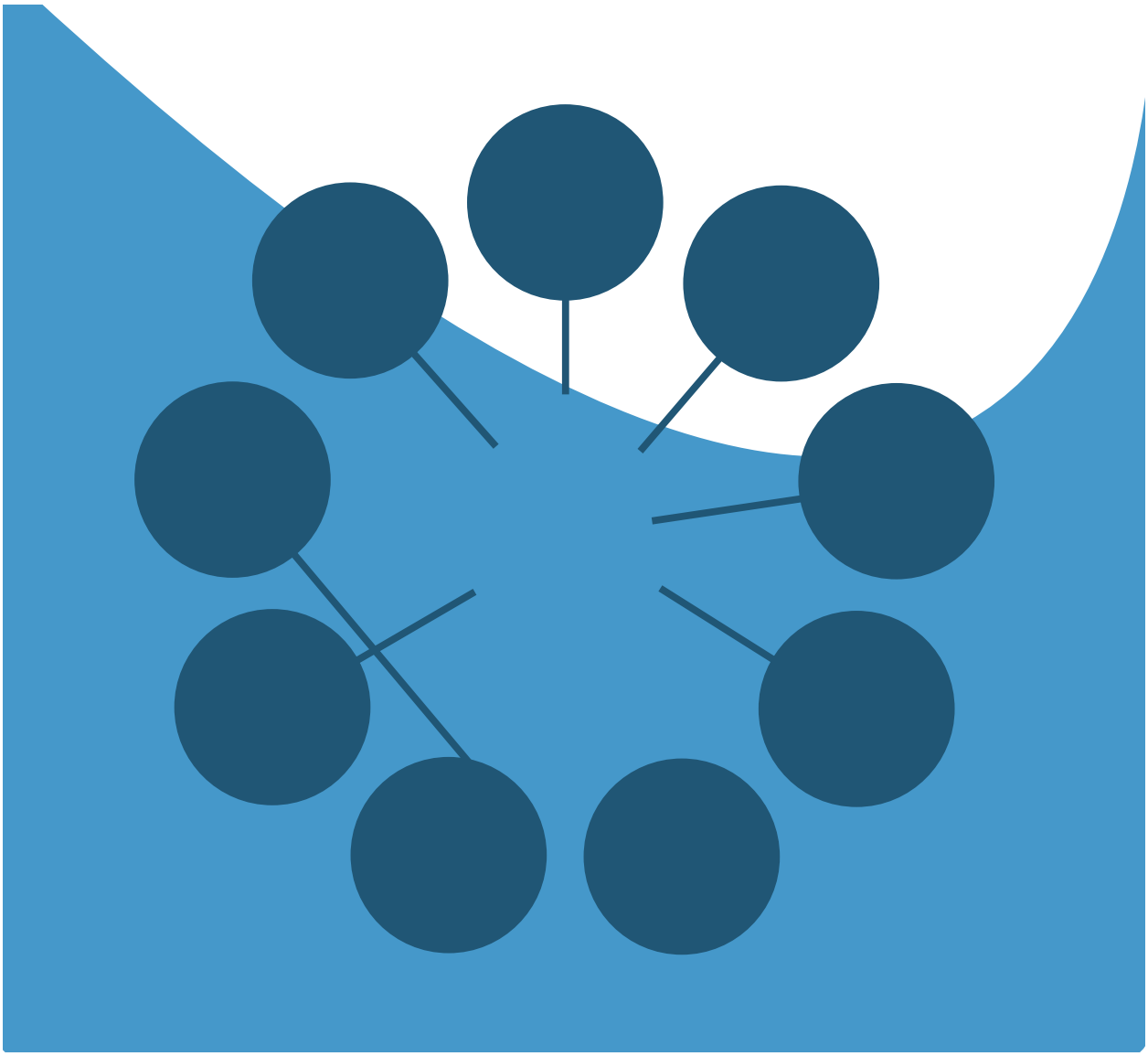
There are many key people and systems involved in a student’s life. Everyone must work together for educational success!



TIP: Working in new and coordinated ways o en means making the circle bigger. Brainst orm ways to include and involve others also working with students in foster care.

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TAA letters regarding students in foster care are included below:

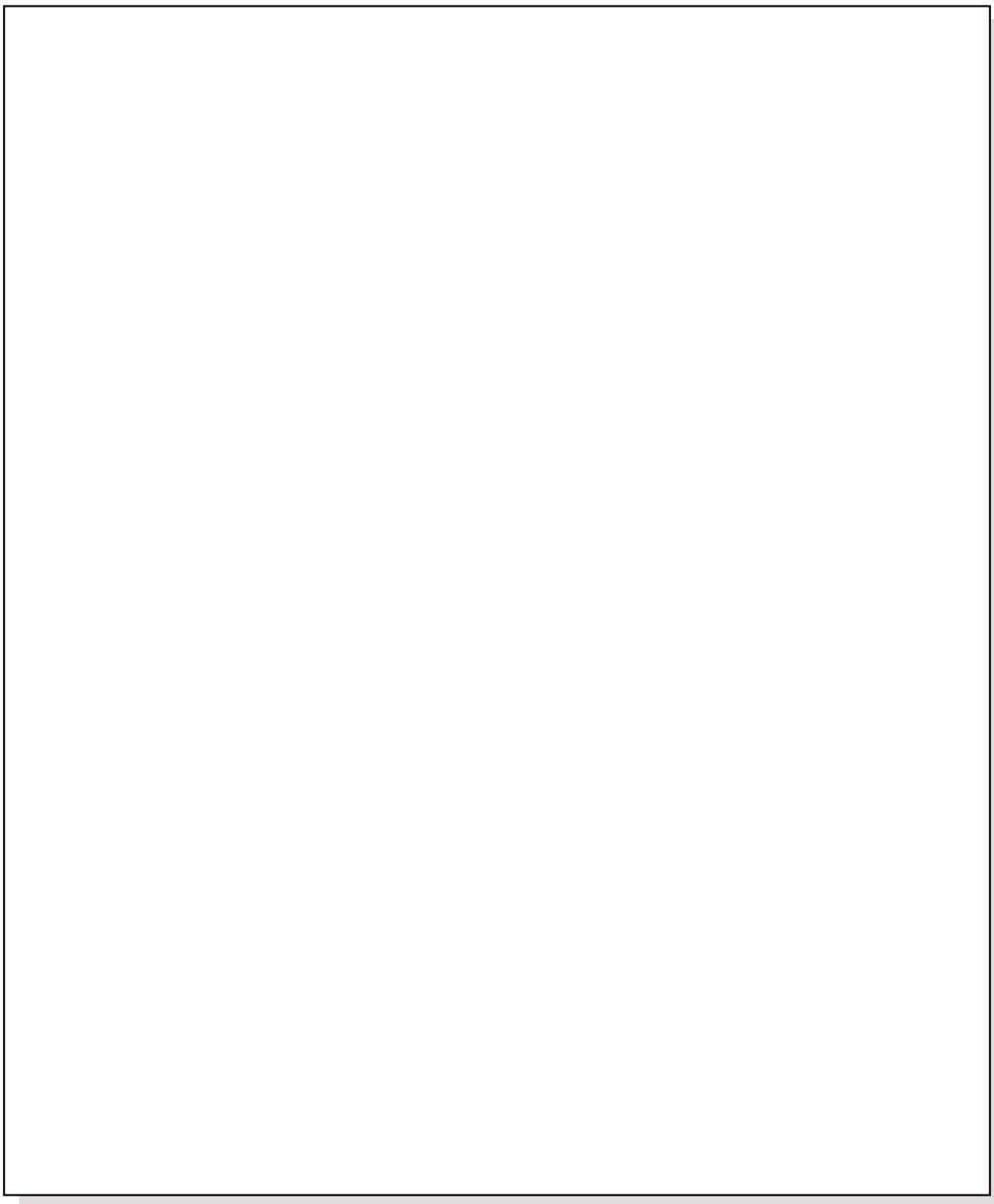
Foster Care Awareness, May 17, 2013, available online (see below):
www.tea.state.tx.us/index4.aspx?id=25769804968

Child Abuse and Neglect Reporting Requirements, March 6, 2013, available online:
www.tea.state.tx.us/index4.aspx?id=25769803997

Importance of Maintaining the Education Stability for Children and Youth in the Foster Care System, August 22, 2012, available online: www.tea.state.tx.us/index4.aspx?id=2147508587

Attendance, Admission, Enrollment, Records and Tuition, August 2, 2012, available online www.tea.state.tx.us/index4.aspx?id=2147508100

Visit: www.tea.state.tx.us/taa_letters.aspx for new letters as they become available.



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Texas Dept of Family and Protective Services

PLACEMENT AUTHORIZATION
FOSTER CARE/RESIDENTIAL CARE

Form 2085FC
July 18, 2012

Signature - DFPS Supervisor

Date

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School personnel may assist in maintaining accurate CPS education records by providing copies of school-related information to caregivers and caseworkers when appropriate. See below for a list of education documents maintained in the student's Case Record and Education Portfolio:

All Children	Children Receiving Special Education or Section 504 Services
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Assistant Commissioner for CPS.

ONLINE LEARNING OPTIONS IN TEXAS:

Texas has an online education program known as the Texas Virtual School Network (TxVSN), which o ers supplemental online high school courses statewide and a full-time online school option.

WHO ARE IDEAL CANDIDATES FOR ONLINE COURSEWORK?

Motivated students are ideal candidates for these programs. Ongoing mentoring of the student by a local, responsible adult throughout the time the student is taking the online course(s) and frequent monitoring of the student's participation and performance are critical for student's success. A Texas-certified teacher will be the instructor for any TxVSN course(s), but the local mentor/monitor will also play an in important role in the student's success. TxVSN online course(s) will be rigorous and take at least as much time and e ort as a course o ered in a traditional classroom. It is important that students and caregivers consider the unique nature of online learning prior to signing students up for these options. Ideal candidates for the online education programs in Texas include students who would like to take a course not o ered in their district or that doesn't fit into their schedule, students who need to make up credits or accelerate their coursework, and students who are in need of a di erent school environment and work well independently. Please have the student check with their local school counselor for information.

TEXAS VIRTUAL SCHOOL NETWORK (TxVSN) SUPPLEMENTAL ONLINE HIGH SCHOOL COURSES

Eligible Texas students in grades 8–12 may enroll in online high school courses through the Texas Virtual School Network (TxVSN) statewide course catalog. This supplemental TxVSN program works in partnership with Texas public school districts and open-enrollment charter schools. Public school students work with their home district or open-enrollment charter school to participate in the TxVSN and the district or charter school awards credits toward graduation and diplomas. Eligible students not enrolled full-time in a Texas public school may also enroll in TxVSN catalog courses — up to a maximum of two courses per semester. These students must obtain access to TxVSN courses through the district or open-enrollment charter school attendance zone in which the student resides and pay the course fees.

TEXAS VIRTUAL SCHOOL NETWORK (TxVSN) FULL-TIME ONLINE SCHOOLS FOR PUBLIC SCHOOL STUDENTS

As of the 2012–2013 school year, there are three schools participating in the TxVSN Online Schools (OLS) program: Houston ISD, Texarkana ISD, and Texas College Preparatory Academies. Public school students in grades 3–12 who meet the qualifications in TEC§ 30A.002 are eligible to participate in the TxVSN OLS program.

More information on TxVSN can be found at: www.txvsn.org/portal/

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This position coordinates and acts as a liaison between DFPS and schools/districts in each DFPS region throughout Texas. The regional education specialist provides assistance and support to DFPS sta as follows:

- Provides information and referral services regarding developmental disability or education-related resources
- Identifies educational services or resources in the region
- Helps identify resources for specialized placement that meet the child's educational needs
- Assists with case planning to identify specific educational needs and services by conferring with others through individual case sta ing and attending permanency planning meetings, as needed
- Attends Admission, Review, and Dismissal (ARD) meetings, when possible, when the caseworker is unable to attend
- Acts as a liaison with the Texas Education Agency (TEA), the independent school districts (ISDs), and other program specialists with the DFPS state o ice
- Helps caseworkers resolve education issues with schools and ISDs, and acts as a liaison with sta from DFPS's Legal Division, as needed
- Develops training curriculum and trains CPS sta and foster parents
- Works with regional DFPS sta to ensure that children in the conservatorship of DFPS receive appropriate educational services and that each child's case record includes a copy of the necessary education records. The caseworker creates an Education Portfolio for each school-age child in DFPS conservatorship. The Education Portfolio contains the child's current academic and psychological assessments, as well as immunization records and copies of report cards. For children with special needs, the Education Portfolio also includes notes from Admission, Review, and Dismissal (ARD) committee meetings and the Individualized Education Program (IEP)

American Bar Association & Casey Family Programs. (2008). Blueprint for change — Education success for children in foster care, second addition (p. ii). Retrieved from www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/education/blueprint_second_edition_final.authcheckdam.pdf

Baskin, J., Brady, D., & Meitler, M. (2013, February 19). Connecting child welfare and education law. 2013 Education of foster youth summit [PDF document of PowerPoint slides], slides 34–38. Retrieved from www.yourhonor.com/myprofile/assets/Connection_between_Education_and_CPS_law.pdf

Baskin, J. (2011, July). Educational needs of children in foster care. Inquiry and Analysis, 1–4. Retrieved from education.texaschildrenscommission.gov/media/6279/IA-July-2011.pdf

Baskin, J. (2011, July). Education records: What records are needed to serve the child? Legal issues related to the educational needs of children in foster care. Retrieved from education.texaschildrenscommission.gov/media/6279/IA-July-2011.pdf

Burstain, J., & Taylor, N. (2013, February 19). Data on foster children attending Texas Public Schools: Texas Foster Care and Education Summit [PDF document of PowerPoint slides], slides 18, 20, 21. Retrieved from www.yourhonor.com/myprofile/assets/WhatDoesTheDataTellUs.pdf

Casey Family Programs. (2006, June 16). Disproportionality in the child welfare system: The disproportionate representation of children of color in foster care. Retrieved from www.ncsl.org/print/cyf/fostercarecolor.pdf

Casey Family Programs. (2005). Session 5: Working with youth in care: roles and responsibilities. Endless Dreams: Building an educational community supportive of youth in foster and out-of-home care. pp 64–65. Retrieved from www.casey.org/resources/initiatives/EndlessDreams/

Center for Public Policy Priorities. (2010, December). The guide to Texas child protective services. Retrieved from library.cppp.org/files/4/CPSpaper_web.pdf

Children's Commission. (2012, March 31). The Texas Blueprint: Transforming education outcomes for children & youth in foster care. The final report of the education committee. Retrieved from texaschildrenscommission.gov/media/98/thetexasblueprint.pdf

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Code of Federal Regulations. Assistance to states for the education of children with disabilities. Title 34, pt. 300 (2012). (Cited in end notes as "34 C.F.R. § 300.xx").

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Note: References in this section are generally in accordance with APA rules except for legal references and end notes which in most cases are cited in accordance with Texas and United States legal citation forms in the endnotes and in a more academic format for the "references" pages.

CONTENT REVIEW AND EDITING

Joy Baskin
Director of Legal Services
Texas Association of School Boards

Angie Cross
Co-Founder
Foster Care Alumni of America

Elaine Dubose
Prevention Services Supervisor
Casey Family Programs

Lori Duke
Clinical Professor
University of Texas School of Law, Children's Rights Clinic

Loretta Edelen
Director of Community Outreach
Austin Community College

Gregory Finora
Special Education Program Specialist and Parent Liaison
Houston Independent School District

Shondra Rogers-McGary
Disproportionality and Disparities Specialist, Region 6
The Center For Elimination of Disproportionality and Disparities
Health and Human Services Commission

Jeanne Stamp
Senior Program Coordinator, Texas Homeless Education O ice
Charles A. Dana Center
The University of Texas at Austin

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